

EXPRESS MAIL LABEL NO.: EV627259166US
DATE: September 23, 2005

10/511 565
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Rec'd PCT/PTO 23 SEP 2005

Docket No.: REGIM 3.3-040
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mugnier et al.

Application No.: 10/511,565

Confirmation No.: @@@

Filed: October 15, 2004

Art Unit: N/A

For: METHOD FOR PRODUCTION OF A
TUNABLE OPTICAL FILTER

Examiner: Not Yet
Assigned

PETITION UNDER 37 C.F.R. § 1.47(a)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

5 JAN 2006

Dear Sir:

Legal Staff
International Division

The above captioned patent application names Alain Mugnier, Rachelle Leroux, Philippe Yvernault and David Pureur as co-inventors. Co-inventor Rachelle Leroux has not executed the enclosed declaration.

Applicants therefore respectfully submit the following information and fees in support of a petition under 37 C.F.R. § 1.47(a) to go forward with the application without co-inventor Rachelle Leroux's declaration:

1. Attachment A - DECLARATION OF DAVID PUREUR AND STATEMENT OF FACTS UNDER 37 C.F.R. § 1.47(A) that co-inventor Rachelle Leroux could not be found or reached after diligent effort.

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2. Charge Deposit Account No. 12-1095 the fee in the amount of \$130 as set forth in 37 C.F.R. § 1.17(h); and
3. The last known address at which co-inventor Rachel Leroux resided is-

No. 15 Bel Air
PLEUMEUR-GAUTIER
France-22740

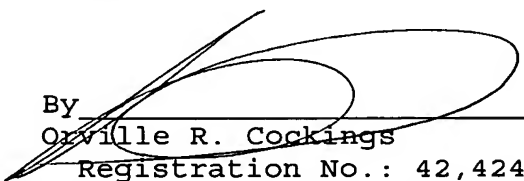
In view of the foregoing, applicants respectfully request that the petition under § 1.47(a) be granted.

In the event that any additional fees are due in connection with this Petition, the Commission is hereby authorized to charge Deposit Account No. 12-1095 therefore.

Dated: September 23, 2005

Respectfully submitted,

By


Orville R. Cockings

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In re Patent Application of : Mugnier et al.

Application N°: 10/511, 565

Filed : October 15, 2004

For : METHOD FOR PRODUCTION OF A TUNABLE OPTICAL FILTER

DECLARATION OF DAVID PUREUR
AND STATEMENT OF FACTS UNDER 37 C.F.R. § 1.47(a)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir,

I, David PUREUR, declare and say that:

1. I am a Technical Manager at Highwave Optical Technologies, the assignee of the above-captioned application. I am also a co-inventor on the above-captioned application and have signed the declaration being filed concurrently herewith.
2. I submit this Declaration as proof that diligent efforts have been made to contact and reach Mrs Rachelle LEROUX, the non-signing co-inventor, and also sign this declaration under 37 CFR 1.47 (a) on behalf of the non-signing co-inventor.
3. I have first-hand knowledge of the efforts that have been made to reach co-inventor Rachelle LEROUX.
4. In particular, several attempts have been made to find the co-inventor Rachelle LEROUX's current address and telephone number. In addition, we have tried to locate her at her last known address. We have also sent the declaration and other documents to her last known address, but these documents have been returned. Despite these efforts, we have not been able to reach co-inventor Rachelle LEROUX.

Lannion, 13 September 2005

David PUREUR

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